

1 control over Licensee, namely, who has control over the  
2 Licensees' funds and I can cite you -- if you give me five  
3 minutes, I can go and cite you tons of cases to that effect.

4 I think better evidence would have been the  
5 checks. The check -- like I said, there might be two or  
6 three checks, there might be 150 checks. I don't know. I  
7 would be prepared, if push came to shove, to say give me the  
8 checks and I will make copies of them, and I will make my  
9 own exhibits out of them. I can make Judge's exhibits, and  
10 I have done in that in the past.

11 But you are right, the Bureau's case is completed,  
12 but this is -- I want that in the record because I think it  
13 would be meaningful information for me to have them and for  
14 the Commission to have.

15 And anyway you want to do it is fine with me. I  
16 mean, if you want to give me all the checks, and we will go  
17 through them and say these are the ones Rice signed, these  
18 are the ones he didn't, and do a count, and give me the  
19 dates of the Rice checks, and who they were written to, and  
20 the purposes for which they were written.

21 I think that's a strong indication of control,  
22 possible control, and it also could relate to the  
23 misrepresentation issue when you were telling the Commission  
24 he was doing one thing, and maybe he wasn't. Maybe he was  
25 doing more than that.

1 MR. GAFFNEY: Just respectfully for the record, we  
2 would -- we would stand on our objection.

3 JUDGE STEINBERG: Right.

4 MR. GAFFNEY: But if the Court would like to see  
5 the evidence produced by the Bureau in the case, and the  
6 Bureau does have the burden of proof, we would think the  
7 Bureau's obligation to have presented it by now. So we  
8 would just for the record respectfully object.

9 JUDGE STEINBERG: I can't disagree with you.

10 MR. GAFFNEY: Thank you, Your Honor.

11 JUDGE STEINBERG: You are right, but in my  
12 discretion I want the evidence. I want that here. And  
13 however it gets in here, I don't care. If you want to put  
14 it in as your exhibit, that's fine. Or if you want to  
15 stipulate to the information, that's fine. I just think  
16 that it should be in here in some way, shape or form so that  
17 I can look at it and the Commission can look at it. That's  
18 why I had a note to ask if there weren't any checks. But if  
19 there weren't any, then the signature authority is  
20 meaningless, in effect.

21 Okay, let's go to the Licensees direct case.

22 MS. SADOWSKY: Your Honor, I have handed to the  
23 court reporter an original and one copy of an exhibit which  
24 I request to be identified as Contemporary Exhibit No. 1.  
25 It is entitled "The Direct Testimony of Janet Cox." It is a

1 15-page exhibit with Appendices A through H.

2 JUDGE STEINBERG: Let me just -- my secretary  
3 counted the pages, and excluding title pages and tabs and,  
4 you know, pages that say Appendix G-1, et cetera, it's 64  
5 pages.

6 MS. SADOWSKY: Thank you, Your Honor.

7 JUDGE STEINBERG: I mean, she put numbers on all  
8 the page with the exception of the ones I was referring to.

9 Okay, so the document described will be marked for  
10 identification as -- do you want it Contemporary, or do you  
11 want it Licensee Well, Contemporary Exhibit 1 because that  
12 is what is typed on it.

13 (The document referred to was  
14 marked for identification as  
15 Contemporary Exhibit No. 1.)

16 MS. SADOWSKY: Yes, Your Honor, and we offer it  
17 into evidence at this time.

18 JUDGE STEINBERG: Any objection?

19 MR. ZARNER: No objection.

20 JUDGE STEINBERG: Okay, Exhibit 1 is received.

21 (The document referred to,  
22 having been previously marked  
23 for identification as  
24 Contemporary Exhibit No. 1,  
25 was received in evidence.)

1 MR. ZAUNER: Your Honor, I don't have an  
2 objection, but I do have a request.

3 The Bureau's copy of Exhibit 1 did not include --

4 JUDGE STEINBERG: Oh, yes, it did.

5 MR. ZAUNER: -- Appendix E.

6 MS. SADOWSKY: Yes, it --

7 JUDGE STEINBERG: It's out of sequence.

8 MS. SADOWSKY: -- a collating problem. If you  
9 will look at Appendix D, you will see that there are two,  
10 you will see documents 107, 108 and 79 and 80?

11 MR. ZAUNER: Um-hmm.

12 MS. SADOWSKY: Seventy-nine and 80 should have  
13 been behind Appendix E.

14 MR. ZAUNER: Okay, with that explanation, no  
15 objection.

16 JUDGE STEINBERG: Well, I had already figured it  
17 out. I can't --

18 MR. ZAUNER: Would she like a job with the Mass  
19 Media Bureau?

20 JUDGE STEINBERG: I can't take any -- ask her a  
21 couple of months from now.

22 (Laughter.)

23 JUDGE STEINBERG: Okay. Exhibit 1 was received.

24 MS. SADOWSKY: Your Honor, I ask --

25 JUDGE STEINBERG: Off the record, please.

1 (Pause off the record.)

2 JUDGE STEINBERG: We are back on the record.

3 MS. SADOWSKY: Your Honor, I ask for marking for  
4 identification as Contemporary Exhibit No. 2 a document  
5 entitled "Direct Testimony of Richard Hauschild," that's the  
6 pronunciation. It's a six-page exhibit with Appendix A.

7 JUDGE STEINBERG: Okay, I can give you --  
8 according to my legal tech it's -- the total number of pages  
9 in Exhibit No. 2 are 142 pages, excluding the piece of paper  
10 that say Appendix A, and the tab page.

11 Okay, and that document will be marked for  
12 identification as Contemporary Exhibit No. 2.

13 (The document referred to was  
14 marked for identification as  
15 Contemporary Exhibit No. 2.)

16 MS. SADOWSKY: Your Honor, I offer this into  
17 evidence at this time.

18 MR. ZAJNER: Your Honor, the Bureau has some  
19 objections to Exhibit No. 2.

20 First of all, Your Honor, on page 4 of the  
21 testimony of Richard Haus --

22 JUDGE STEINBERG: Hauschild.

23 MR. ZAJNER: Hauschild. The last sentence in  
24 paragraph eight, "Michael Rice had no involvement in the  
25 process of retaining DL Consulting." I believe DL

1 Consulting was retained by Janet Cox, and Mr. Hauschild's  
2 knowledge would be incomplete, to say the least.

3 I would request that this sentence be modified to  
4 include the words: "To my knowledge, Michael Rice had no  
5 involvement in the process of retaining DL Consulting."

6 MS. SADOWSKY: Your Honor.

7 MR. ZARNER: Not as a statement of fact, but  
8 rather a statement of his opinion or personal knowledge.

9 JUDGE STEINBERG: Well, you can ask him.

10 MR. ZARNER: Well, we are not planning on calling  
11 Mr. Hauschild.

12 JUDGE STEINBERG: Oh, okay, then you can't ask  
13 him.

14 MS. SADOWSKY: Your Honor, the --

15 MR. ZARNER: We may change that determination  
16 after we get through the documents. But right now our  
17 initial determination is not to call him.

18 MS. SADOWSKY: Your Honor, the declaration of Mr.  
19 Hauschild supporting his testimony indicates that "The  
20 statements contained are true and correct to the best of my  
21 knowledge, information and belief."

22 JUDGE STEINBERG: So this is his belief.

23 MR. ZARNER: Okay, with that understanding, no  
24 problem.

25 JUDGE STEINBERG: I mean, is that okay with you,

1       that this is his belief?

2               MS. SADOWSKY:   Yes.

3               JUDGE STEINBERG:   Okay.   Any other objections?

4               MR. ZANNER:   Yes, Your Honor.

5               The Bureau objects to the testimony of Mr.  
6   Hauschild contained in paragraph nine.   The station's record  
7   of public service and community involvement is irrelevant to  
8   the issues in this proceeding, and we move that paragraph  
9   nine and the related documents in Appendix A not be received  
10   in evidence in this proceeding.

11              MS. SADOWSKY:   Your Honor, we believe that the  
12   information contained in paragraph nine is relevant to  
13   mitigation under "2" of the categories of mitigation.   One,  
14   being the character of the licensee.   We believe this  
15   information goes to the character of the licensee.

16              And, number two, it goes to compliance with  
17   Commission policy and rules.

18              We believe this information is highly relevant  
19   with respect to our client's compliance with the duty of a  
20   licensee to program in the public interest.   We believe this  
21   demonstrates that, and we believe that it is relevant.   The  
22   weight is something that can be argued in the findings and  
23   conclusions, but we believe this information is very  
24   relevant to the issues in this case.

25              JUDGE STEINBERG:   Okay, the objection will be

1 sustained, and paragraph nine, and Appendix A will not be  
2 received.

3 And the ruling is it's basically we established  
4 that historically the Commission has not considered  
5 programming evidence as a mitigating factor in cases of  
6 egregious misconduct. And I will cite for that proposition  
7 Cosmopolitan Broadcasting Corporation, 75 FCC 2nd., 423.  
8 It's a 1980 case

9 At page 25 in Note 3 the Commission stated, "Some  
10 forms of misconduct, e.g., misrepresentation, bribery,  
11 fraudulent billing, are prima facie so serious that a grant  
12 would not be in the public interest no matter how  
13 meritorious the applicant's past programming record, and in  
14 such cases the Commission will not even consider programming  
15 evidence as a mitigating factor."

16 The Commission also noted in Cosmopolitan that  
17 "Even in cases where it would consider mitigating evidence,  
18 the evidence offered for mitigation purposes is limited to  
19 programming matters, and may not include other forms of  
20 public service rendered by a licensee." And that was  
21 Footnote 4 of Cosmopolitan.

22 In the character policy statement, 102 FCC 2nd,  
23 1179, at page 1211, Note 79, the Commission observed that,  
24 "In cases of misrepresentation, we are not required to  
25 consider the station's past programming performance."

1           And I think that those two cases would preclude my  
2       consideration and the Commission's consideration of any kind  
3       of programming evidence.

4           MS. SADOWSKY: Your Honor, may I have one  
5       rejoinder?

6           If it's not relevant to the misrepresentation  
7       issue, we believe it was offered not with respect to the  
8       misrep issue; it was offered with respect to Issue No. 1.

9           JUDGE STEINBERG: Well, I --

10          MS. SADOWSKY: We believe that it is relevant  
11       under the categories of mitigation that were discussed in  
12       the character policy statement. And, in fact, we know that  
13       at least as recently as April 1995, in the Richard Richards  
14       case, the review board, which is at 10 FCC Record No. page  
15       3950, did view the -- the record of the licensee as having  
16       some weight with respect to the mitigation factor.

17          JUDGE STEINBERG: Okay. You have my ruling.

18          MS. SADOWSKY: Thank you.

19          JUDGE STEINBERG: Any other objections?

20          MR. ZAJNER: No, Your Honor.

21          MS. SADOWSKY: Your Honor, can we state for the  
22       record that we would make an offer of proof with respect to  
23       the content of paragraph number nine?

24          JUDGE STEINBERG: Of course. You really don't  
25       have to make an offer of proof because paragraph nine and

1 Appendix A go along with your exhibit and with the record.  
2 So if the case turns out unfavorably to you, or if it turns  
3 out favorable to you, you can always file exceptions to my  
4 ruling.

5 MS. SADOWSKY: Thank you.

6 JUDGE STEINBERG: And say this should have been  
7 considered.

8 MS. SADOWSKY: Your Honor, I request at this time  
9 that --

10 JUDGE STEINBERG: Let me --so Mr. Zauner didn't  
11 have any objections?

12 MR. ZAENER: No, Your Honor.

13 JUDGE STEINBERG: Okay, so Exhibit No. 2 is  
14 received, except for paragraph nine and Appendix A.

15 (The document referred to,  
16 having been previously marked  
17 for identification as  
18 Contemporary Exhibit No. 2,  
19 was received in evidence  
20 except for paragraph nine and  
21 Exhibit A.)

22 MS. SADOWSKY: Your Honor, I request at this time  
23 to have marked as Contemporary Exhibit No. 3 a document  
24 entitled "Testimony of Dan Leatherman." It's a three-page  
25 document of his testimony, plus documents attached as

1 Appendix A thereof. I request that it be marked for  
2 identification.

3 JUDGE STEINBERG: Okay, the document described  
4 will be marked for identification as Contemporary Exhibit  
5 No. 3.

6 (The document referred to was  
7 marked for identification as  
8 Contemporary Exhibit No. 3.)

9 MS. SADOWSKY: And I offer it into evidence at  
10 this time.

11 JUDGE STEINBERG: Just wait a second before you,  
12 if you have any objection, I just want to review something  
13 for a minute.

14 (Pause )

15 JUDGE STEINBERG: Okay, Mr. Zauner.

16 MR. ZAUNER: Yes, Your Honor.

17 The Bureau would object to paragraph seven and the  
18 related documents which are contained in Appendix A to  
19 Exhibit 3. And our objection is based on the same grounds  
20 that we objected to similar information in the preceding  
21 exhibit.

22 MS. SADOWSKY: I'm sorry. Was his objection --

23 JUDGE STEINBERG: To paragraph seven and, I guess,  
24 Appendix A, correct?

25 MR. ZAUNER: Right.

1 MS. SADOWSKY: The entire paragraph seven?

2 MR. ZAJNER: Yes, Your Honor.

3 MS. SADOWSKY: Your Honor, we believe that given  
4 your ruling on the material that was not entered in Exhibit  
5 No. 2, that at least in paragraph seven, the first two  
6 statements clearly are relevant to the Issue No. 1 in this  
7 case with respect to the station's operations and  
8 performance.

9 And we believe they go to Issue No. 1. We don't  
10 think that they are objectionable under these same theory  
11 that the programming information might have been  
12 objectionable.

13 JUDGE STEINBERG: Okay. The objection is --

14 MR. ZAJNER: Your Honor, may I be heard on that?

15 JUDGE STEINBERG: Well, you already objected.

16 MR. ZAJNER: I objected, but she has come back now  
17 and asked to offer just two sentences.

18 JUDGE STEINBERG: No, she responded to your  
19 objection and I am ruling.

20 You object to the whole paragraph.

21 MR. ZAJNER: I objected to the whole paragraph.

22 JUDGE STEINBERG: Right.

23 MR. ZAJNER: Right. And the attached documents on  
24 the previous grounds.

25 JUDGE STEINBERG: Okay, have your say on the first

1 two sentences.

2 MR. ZANNER: Okay. Your Honor, I just very  
3 simple, there is no issue in this proceeding regarding the  
4 station's operations or performance. These first two  
5 sentences are clearly irrelevant to the issues that are  
6 pending in this case. They have nothing to do with Mr.  
7 Rice's conviction. They have nothing to do with the  
8 misrepresentation by the station, and they have nothing to  
9 do with whether the station has been transferred.

10 JUDGE STEINBERG: Okay. The objection is  
11 overruled with respect to the first two sentences of  
12 paragraph seven. There were representations that Mr. Rice  
13 had no involvement in the operations of the station after a  
14 certain date. These sentences go to that.

15 The remainder of this paragraph will be stricken,  
16 so your objection is sustained with respect to the remainder  
17 of the paragraph beginning with "The station continues to  
18 maintain a record of community involvement and public  
19 service." So that material is stricken, and Appendix A is  
20 stricken for the reasons that I stated with respect to the  
21 previous exhibit

22 So with those rulings, Exhibit 3 is received.

23 //

24 //

25 //

1 (The document referred to,  
2 having been previously marked  
3 for identification as  
4 Contemporary Exhibit No. 3,  
5 and was received in evidence  
6 except for part of paragraph  
7 seven and Appendix A.)

8 MS. SADOWSKY: Your Honor, at this time I ask that  
9 we mark for identification as Contemporary Exhibit 4 a four-  
10 page document entitled "Direct Testimony of Kenneth Brown,"  
11 to which is attached documents identified as Appendix A.  
12 There are two.

13 JUDGE STEINBERG: Okay. By my legal tech's count,  
14 it's a 25-pages document, and the document described will be  
15 marked for identification as Contemporary Exhibit No. 4.

16 And I don't think I said that Exhibit No. 3 was 23  
17 pages. So now if anybody is curious they now know. I know  
18 people are sitting on the edge of their chairs.

19 (Laughter.)

20 (The document referred to was  
21 marked for identification as  
22 Contemporary Exhibit No. 4.)

23 JUDGE STEINBERG: Okay, and you are going to offer  
24 4?

25 MS. SADOWSKY: Yes, Your Honor, at this time I

1 offer Exhibit No. 4 into evidence.

2 MR. ZAJNER: Your Honor, the Bureau would object  
3 to paragraph 10 on page 3 and going over to page 4 for the  
4 testimony of Ken Brown, and also to Appendix A. And the  
5 Bureau submits that this material is irrelevant for the same  
6 grounds that you have excluded previously.

7 MS. SADOWSKY: Your Honor, we respond that the  
8 first sentence in paragraph 10 does not go to the same  
9 objection with respect to programming that has been stated  
10 in the past, and we believe at least that first sentence  
11 should be admitted.

12 JUDGE STEINBERG: Okay.

13 MR. ZAJNER: Your Honor, the first sentence could  
14 be struck also. I think it can be read two ways, and one  
15 way it can be that Mr. Rice's circumstances have not  
16 affected the station's operations or performance in any  
17 meaningful respect because he is continuing to be in  
18 control.

19 JUDGE STEINBERG: Then why  
20 strike it?

21 MR. ZAJNER: So it can be read either way. I  
22 think it doesn't tend to advance anybody's case, but I will  
23 leave it. If you would like to leave it in, I would be  
24 happy to leave it in.

25 JUDGE STEINBERG: Well, I am glad you are happy  
because I am going to leave it in.

1           The first sentence of paragraph 10 will remain in.  
2       The remainder of paragraph 10 will be stricken, along with  
3       Appendix A for the reason that I stated earlier.

4           And with that ruling, Contemporary Exhibit No. 4  
5       is received.

6                               (The document referred to,  
7                               having been previously marked  
8                               for identification as  
9                               Contemporary Exhibit No. 4,  
10                              was received in evidence,  
11                              except for the first sentence  
12                              in paragraph 10 and Appendix  
13                              A.)

14           MS. SADOWSKY: Your Honor, at this time I ask to  
15       have marked as Contemporary Exhibit 5 12 pages identified as  
16       character references. Because the pages consist of separate  
17       letters, we may want to take them one at a time. I don't  
18       know. But in any case I request that this document be  
19       marked for identification as Contemporary Exhibit No. 5.

20           JUDGE STEINBERG: Okay, the document identified  
21       will be marked as Contemporary Exhibit 5.

22                              (The document referred to was  
23                              marked for identification as  
24                              Contemporary Exhibit No. 5.)

25           MS. SADOWSKY: And I move its admission.

1 JUDGE STEINBERG: Mr. Zauner?

2 MR. ZAUNER: One second, Your Honor.

3 (Pause )

4 MR. ZAUNER: Your Honor, could we have a statement  
5 as to the purpose for which these documents are being  
6 offered, and specifically which issue? Are they being --  
7 what I would like to know are they being offered strictly  
8 with regard to Issue No. 4?

9 MS. SADOWSKY: Yes.

10 MR. ZAUNER: Your Honor, the Bureau has no  
11 objection to these documents, and they are being offered as  
12 character references, that's also my understanding. That's  
13 the heading of the exhibit.

14 MS. SADOWSKY: Yes.

15 JUDGE STEINBERG: Okay, Exhibit No. 5 is received.  
16 (The document referred to,  
17 having been previously marked  
18 for identification as  
19 Contemporary Exhibit No. 5,  
20 was received in evidence.)

21 JUDGE STEINBERG: Okay, now let me ask Ms.  
22 Sadowsky, does this complete the Licensees direct case?

23 MS. SADOWSKY: Yes, it does, Your Honor.

24 JUDGE STEINBERG: You can introduce additional  
25 stuff with respect to checks if you want. In other words,

1 you can supplement your direct -- I mean, I don't want to be  
2 unfair to you, and you can adduce oral testimony with  
3 respect to the checks, you can reduce it to writing, you can  
4 do it through whatever witness you want to.

5 MS. SADOWSKY: Our direct testimony of Janet Rice  
6 does -- Janet Cox -- excuse me -- does address that matter.

7 JUDGE STEINBERG: Okay. But if you want to expand  
8 upon it, you know, you can. I don't want to preclude you --  
9 I don't want to be unfair to you.

10 MS. SADOWSKY: Thank you.

11 JUDGE STEINBERG: So you can reopen that part of  
12 it and supplement if you want.

13 Okay, so we have two direct cases completed.

14 Now, how about notification, witnesses, desire for  
15 cross-examination. Since the Bureau didn't have any  
16 sponsoring witnesses, you can't notify anybody unless you  
17 want Roy Stewart to come in to testify.

18 (Laughter.)

19 JUDGE STEINBERG: Let the record reflect humor, an  
20 attempt at humor

21 Mr. Zainer?

22 MR. ZAJNER: Your Honor, the Bureau would request  
23 that the Licensees present for cross-examination Janet Cox,  
24 Dan Leatherman and Ken Brown.

25 JUDGE STEINBERG: Okay.

1 MS. SADOWSKY: Your Honor, one comment on that.

2 We know that Mr. Hanks was -- who will be a  
3 rebuttal witness was employed at the station to which under  
4 Mr. Hauschild's general managership, not under Mr.  
5 Leatherman, not under Ken Brown. We would assume that there  
6 would be testimony by Mr. Hanks to which Mr. Hauschild could  
7 address, but the Bureau isn't call him, and my question is  
8 why not.

9 MR. ZAJNER: Well, why am I not calling someone?  
10 You would like me to call someone.

11 MR. GARFNEY: Your Honor, I guess we reserve  
12 outright to call Mr. Hauschild on surrebuttal if the  
13 opportunity presented itself.

14 JUDGE STEINBERG: Okay, we will cross the  
15 surrebuttal question when we get to that point. I mean, I  
16 am not going to tell them how to try the case except in  
17 terms of producing checks, and if they don't want Mr.  
18 Hauschild, they don't have to have Mr. Hauschild.

19 Let me see if I have any questions I want to ask  
20 Mr. Hauschild. I probably do, but they are probably not  
21 significant questions, otherwise the Bureau would have  
22 thought of them.

23 Well, I had no significant questions.

24 Now, let's see if they call Mr. Hanks. Let's see  
25 what Mr. Hanks has to say and let's see if you have any

1 response to that. You might not have any response to that.  
2 You might be able to rip him into shreds up on the witness  
3 stand. That's always fun.

4 Okay, anything further we have to do today?

5 MS. SADOWSKY: Your Honor, with respect to the  
6 scheduling of witnesses, we are going to have Janet Cox be  
7 our first witness. And the reason for that is that Ms. Cox  
8 has a son who is on his way home, will be on his way home  
9 from Bosnia. She hasn't seen him for a year. He is due  
10 back on April 10th. We would like to have Ms. Cox finished  
11 on April 9th, if at all possible, so she could go back home.

12 JUDGE STEINBERG: That's fine. Any accommodation  
13 that you two want to reach is okay, and the 9th is next  
14 Tuesday, right? And if we have to work late to finish her,  
15 we will work late to finish her.

16 And if you want to work out a schedule, an  
17 organized, reasonable schedule for producing the three  
18 witnesses, that's fine with me. If you want to do Ms. Cox  
19 Tuesday, and Leatherman and Brown Wednesday, that's -- you  
20 know, you can do him in the morning and him in the  
21 afternoon, if we take a break in between, that's fine. In  
22 other words, you don't have to have them lined up in chairs  
23 along the wall as some other people used to require. Let's  
24 be civilized.

25 MR. ZAUNER: I would hope we could get them all

1 done in one day.

2 JUDGE STEINBERG: Okay. But, you know, you work  
3 out a schedule, and I am sure it's going to be okay with me.

4 MR. ZAUNER: Your Honor, If I may raise the  
5 subject of Mr. Hanks' testimony. Can we tell Mr. Hanks  
6 that he will not be in the week of the 9th; that it will be  
7 at a later date, if he is planning at this point?

8 We are getting close and we have to make  
9 reservations.

10 JUDGE STEINBERG: Okay, let's go off the record.

11 (Discussion off the record.)

12 JUDGE STEINBERG: We are back on the record.

13 While we were off the record, we were just  
14 discussing the timing of Mr. Hanks and the parties agreed  
15 that they will try to cooperate and get the deposition  
16 scheduled at everybody's convenience.

17 Okay, anything further, Mr. Zauner?

18 MR. ZAUNER: No, nothing that I can think of.

19 JUDGE STEINBERG: Ms. Sadowsky?

20 MS. SADOWSKY: Not at this time.

21 JUDGE STEINBERG: Okay, then we will be in recess  
22 until next Tuesday, the 9th, at 10:00 a.m.

23 Do you want to make it earlier?

24 MS. SADOWSKY: No.

25 JUDGE STEINBERG: Okay. Tuesday at 10 a.m. Thank

1     you very much.

2                   MS. SADOWSKY:  Thank you.

3                   (Whereupon, at 11:36 a.m., the hearing was  
4     recessed, to reconvene at 10:00 a.m., on Tuesday, April 9,  
5     1996.)

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**REPORTER'S CERTIFICATE**

FCC DOCKET NO.: 95-154

CASE TITLE: CONTEMPORARY MEDIA, INC.

HEARING DATE: April 2, 1996

LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.

Date:

Gary Sabel  
\_\_\_\_\_  
Official Reporter  
Heritage Reporting Corporation  
1220 "L" Street, N.W.  
Washington, D.C. 20005  
Gary Sabel

**TRANSCRIBER'S CERTIFICATE**

I hereby certify that the proceedings and evidence were fully and accurately transcribed from the tapes and notes provided by the above named reporter in the above case before the Federal Communications Commission.

Date: \_\_\_\_\_

Joyce Boe  
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Official Transcriber  
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**PROOFREADER'S CERTIFICATE**

I hereby certify that the transcript of the proceedings and evidence in the above referenced case that was held before the Federal Communications Commission was proofread on the date specified below.

Date: \_\_\_\_\_

Nathan Wright  
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